Corruption in judiciary

†2950. SHRI JAI PRAKASH AGGARWAL: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether there is a corruption of thousands of crores of rupees in the judiciary according to the Centre for Media Studies;

(b) whether 20 per cent judges of the country has been termed as corrupt by the former Chief Justice of the Supreme Court, Shri S.R Bharuch;

(c) whether it is a fact that Judges of the country do not make annual declaration of their assets;

(d) if so, the reaction of Government thereto;

(e) whether any steps have been taken or proposed to be taken by Government to eradicate corruption from judiciary; and

(f) if so, the details thereof?

. THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) to (f) The information is being collected and will be laid on the Table of the House.

Appointment of additional judges

2951. DR.MURLI MANOHER JOSHI:
SHRI RAM JETHMALANI:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that more judges are required to dispose of the cases pending in the courts of different levels, in the country within appropriate time -frame;

(b) if so,the facts in this regard and the assessment made by Government thereon;

. (c), whether Government have fixed any time -frame for appointment of additional judges as per the requirement; and

†Original notice of the question was received in Hindi.

(d) if so, the details thereof?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R.BHARDWAJ): (a) Yes, Sir.

(b) to (d) A Statement is given below.

. Statement

Details regarding appointment of judges

In pursuance of the Supreme Court judgement of October 6,1993, and subsequent discussions in the Chief Ministers and chief Justices Conference, the strength of judges in the High Courts is reviewed every thee years. Last such review was conducted in the year 2006 in which only 8 High Courts fulfilled the conditions laid down for increase in their judge strength.

1.1 After the Supreme Court Judgement of October 6,1993, in the Supreme Court Advocates-on-Record & Anr. *Vs.* Union of India read with their Advisory Opinion of October 28,1998, the entire process of initiation of proposal for appointment of a Judge of the Supreme Court lies with the Chief Justice of India and for the appointment of a Judge of a High Court, it lies with the Chief Justice of that High Court.

2. With regard to subordinate judiciary, the Supreme Court in its judgement of 21st March, 2002 in W.P. (Civil) No. of 1022 of 1989—All India Judges Association & Ors. *Vs* Union of India & Ors, has directed that an increase in the Judge strength from the existing 10.5.or 13 per 10 lakh people to 50 judges per 10 lakh people should be effected and implemented within a period of five years in a phased manner to be determined and directed by the Union Ministry of Law, It had also directed that the existing vacancies in the Subordinate Courts at all levels should be filled in all the States.

2.1 The Central Govemment has filled an affidavit in the Supreme Court praying that the increase in judge Strength in the Union Territories for which Central Government is administratively responsible be allowed based on workload and pendency of cases. All the State Governments are also party to the All India Judges Case. The Government proposes to establish Gram Nyayalayas in the rural area to provide speedy justice and reduce pendency.

2.2 Under article 235 of the Constitution of India, the administrative contral over the member of subordinate judiciary in the States vests with the concerned High Court and the State Government. Thus as regards the judge strength in the District and subordinate courts, the primary responsibility for taking necessary action for increasing the judge strength vests with the respective State Governments. Filling up of the vacant posts of judges/magistrates at the District and Subordinate Courts is the concern of the respective High Courts and the State Governments.

2.3 The Central Government has been periodically urging all the State Governments/Union Territories and the High Courts to accord utmost priority to filling up of vacant posts of judges and magistrates. The Minister of Law and Justice has written to the Chief Justices of the all High Courts and Chief Ministers of all States on 26-4-2002 for ensuring compliance of the aforesaid order of the Supreme Court dated 21st March, 2002.

Superannuation age of judges

†2952. SHRI BANWARI LAL KANCHHAL: Will the Ministry of LAW AND JUSTICE be pleased to state:

(a) whether the superannuation age of the officers of HJS cadre service deployed on the deputation in the tribunals of defferent States is 60 years;

(b) whether the superannuation age of the judges of High Court and Supreme Court is 60 years and 65 years respectively, if so, reasons for different superannuation ages despite similar cadre service;

(c) the details of superannuation ages of officers of HJS cadre service deployed in defferent tribunals in Rajasthan, Uttarakhand and Uttar Pradesh; and

(d) whether Government would consider to make superannuation age as 61 years for the officers of HJS cadre deployed on deputation in the tribunals of all States?

MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ):(a)to(d) Under article 235 of the Consititution of India, the administrative control over the members of subordinate judiciary in the States vests with the

†Original notice of the question was received in Hindi.

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